

DECLARATION AND POWER OF ATTORNEY

☐ ORIGINAL
☒ CONTINUATION-IN-PART
☐ DIVISIONAL

As a below named inventor, I declare that the information given herein is true, that I believe that I am the original, first and sole inventor if only one name is listed at 1 below, or a joint inventor if plural inventors are named below at 1-4, of the invention entitled:

STABILIZED ASCORBIC ACID COMPOSITION

Which is described and claimed in:

- ☒ the attached specification or
☐ the specification in application Serial No. _____ filed _____ as amended on _____ (if applicable)
(for declaration not accompanying application)

and for which a patent is sought, and that my residence, post office address and citizenship are as stated below next to my name.
I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| PRIOR FOREIGN APPLICATION(S) | | | |
|------------------------------|--------------------|---------------------------------|----------------------------------------------------------|
| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day/month/year) | PRIORITY CLAIMED UNDER 35 UCS § 119 |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| | | | <input type="checkbox"/> YES <input type="checkbox"/> NO |

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

| APPLICATION SERIAL NO. | FILING DATE |
|------------------------|-------------|
| | |
| | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 120, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE | STATUS |
|------------------------|-------------------|---------|
| 09/224,005 | December 31, 1998 | Pending |
| | | |

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or Agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

ROD S. BERMAN, Reg. No. 31,483; MICHAEL M. GERARDI, Reg. No. 33,698; BERNARD R. GANS, Reg. No. 27,443; BRENNAN C. SWAIN, Reg. No. 43,175 and MARSHALL E. ROSENBERG, Reg. No. 34,003.

Send correspondence to:
JEFFER, MANGELS, BUTLER & MARMARO LLP
Tenth Floor
2121 Avenue of the Stars
Los Angeles, California 90067

DIRECT TELEPHONE CALLS TO: ROD S. BERMAN, ESQ.
(Name and telephone number) (310) 203-8080

| | | | | | | |
|---|------------------------------------------------------------------------------|--------------------|-------------------------|-------------|------------------------------------------|--------------------------------|
| 1 | Name of Inventor | LAST NAME PARR | FIRST NAME James | MIDDLE NAME | Residence: CITY San Juan Capistrano | STATE or COUNTRY California |
| | Post Office Address 27731 Rollingwood Lane, San Juan Capistrano, CA 92675 | | | | CITIZENSHIP U.S. | |
| | Signature | | | | Date | |
| 2 | Name of Inventor | LAST NAME SUN | FIRST NAME Ziming | MIDDLE NAME | Residence: CITY Fountain Valley | STATE or COUNTRY California |
| | Post Office Address 17679 San Vicente Street, Fountain Valley, CA 92708 | | | | CITIZENSHIP Peoples Republic of China | |
| | Signature | | | | Date | |
| 3 | Name of Inventor | LAST NAME CHANG | FIRST NAME Yi Hsin | MIDDLE NAME | Residence: CITY Santa Ana | STATE or COUNTRY California |
| | Post Office Address 1201 E. Fairhaven Ave., #18D, Santa Ana, CA 92705 | | | | CITIZENSHIP Brazil | |
| | Signature | | | | Date | |
| 4 | Name of Inventor | LAST NAME HO | FIRST NAME Uyen Uyen | MIDDLE NAME | Residence: CITY Garden Grove | STATE or COUNTRY California |
| | Post Office Address 12892 Lampson Ave., Garden grove, CA 92840 | | | | CITIZENSHIP Vietnam | |
| | Signature | | | | Date | |

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| | | | | | | |
|---|---------------------------------------------------------------|---------------------|---------------------|---------------------|---------------------------------|--------------------------------|
| 5 | Name of Inventor | LAST NAME GEORGE | FIRST NAME Darcy | MIDDLE NAME | Residence: CITY Coto de Caza | STATE or COUNTRY California |
| | Post Office Address 36 Via Andorra, Coto de Caza, CA 92679 | | | CITIZENSHIP U.S. | | |
| | Signature | | | Date | | |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1001758-121201

Applicant or Patentee: PARR, et al. Case Docket No. 57095-5009
Serial or Patent No.: Not yet assigned
Filed or Issued: December 11, 2001
For: STABILIZED ASCORBIC ACID COMPOSITION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(b)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below.
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN Amitee Cosmetics, Inc.
ADDRESS OF CONCERN 151 Kalmus Drive, Suite H-3, Costa Mesa, CA 92626

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled STABILIZED ASCORBIC ACID COMPOSITION by inventor(s) James Parr, Ziming Sun, Yi Hsin Chang, Uyen Uyen Ho, Darcy George, described in

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

If the right held by the above identified small business concern is not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME Amitee Cosmetics, Inc.
ADDRESS 151 Kalmus Drive, Suite H-3, Costa Mesa, CA 92626
() INDIVIDUAL (X) SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issues thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING James W. Parr
TITLE OF PERSON OTHER THAN OWNER Vice President
ADDRESS OF PERSON SIGNING 151 Kalmus Drive, Suite H-3
Costa Mesa, CA 92626

DATE _____ SIGNATURE _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Ziming SUN, et al.

Serial No. Not yet assigned

Filed: December 11, 2001

For: STABILIZED ASCORBIC ACID COMPOSITION

Group Art Unit:

Examiner:

POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR UNDER 37 C.F.R. §3.71

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The undersigned James W. Parr is a representative authorized to sign on behalf of the assignee of the entire interest in the above-identified subject application, Amitee Cosmetics, Inc. and hereby appoints:

ROD S. BERMAN, Reg. No. 31,483, **BERNARD R. GANS**, Reg. No. 27,443, **BRENNAN C. SWAIN**, Reg. No. 43,175, **BRIAN W. KASELL**, Reg. No. 33,522, **KATHY MOJIBI**, Reg. No. 41, 409 and **RUPAK NAG**, Reg. No. 37,493 of the firm of Jeffcr, Mangels, Butler & Marmaro LLP as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, said appointment to be to the exclusion of the inventor and his attorney in accordance with the provisions of 37 C.F.R. §3.71.

Amitee Cosmetics, Inc., per 37 C.F.R. §3.73(b), certifies that the evidentiary documents with respect to its ownership have been reviewed and that to the best of the undersigned's knowledge and belief, title is in the assignee seeking this action.

Amitee Cosmetics, Inc., declares that 100% ownership is established by the assignment

- ☒ filed herewith
☐ filed for recordation on ____
☐ recorded in the U.S. PTO on ____

a copy of which is attached.

Please direct all telephone calls to Rod S. Berman, Esq. at 310-203-8080 and all correspondence relative to said application to the following address:

Rod S. Berman, Esq.
JEFFER, MANGELS, BUTLER & MARMARO LLP
Tenth Floor
2121 Avenue of the Stars
Los Angeles, CA 90067

ASSIGNEE Amitee Cosmetics, Inc.

Signature _____

Typed Name James W. Parr

Title Vice President

Address 151 Kalmus Drive, Suite H-3

Costa Mesa, CA 92626

Date _____

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ASSIGNMENT

Attorney Docket No. 57095-5009

| | | |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| (1-8) Insert Name(s) of Inventor(s) | (1) Ziming SUN | (5) Darcy GEORGE |
| | (2) James PARR | (6) |
| | (3) Yi Hsin CHANG | (7) |
| | (4) Uyen Uyen HO | (8) |
| | In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to | |
| (9) Insert name of Assignee | (9) Amitee Cosmetics, Inc. | |
| (10) Insert state of incorporation of Assignee | (10) California | |
| (11) Insert address of Assignee | (11) 151 Kalmus Drive, Suite H-3 Costa Mesa, CA 92626 | |
| | (hereinafter designated as the Assignee) the entire worldwide right, title and interest in the invention known as | |
| (12) Insert identification of invention, such as title, case number or foreign application number | (12) STABILIZED ASCORBIC ACID COMPOSITION for which the undersigned has (have) executed an application for patent in the United States of America on | |
| (13) Insert date of signing of application | (13) | |

1) The undersigned agree(s) to execute all papers necessary in connection with the application and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

2) The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or division thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

3) The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the international Convention for Protection of Industrial Property or similar agreements.

4) The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

5) The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patents of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

6) The undersigned hereby grants ROD S. BERMAN, Reg. No. 31,483, BERNARD R. GANS, Reg. No. 27,443, BRIAN W. KASELL, Reg. No. 33,522, KATHY MOJIBI, Reg. No. 41,409 and RUPAK NAG, Reg. No. 37,493 the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent & Trademark Office for recordation of this document.

| | |
|-------|-------------------|
| Date: | Name of Inventor: |
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